

SECTION 5 - PROCUREMENT OF ENGINEERING SERVICES

SCOPING AND SOLICITATION

General

Procurement of engineering services must utilize a qualifications based selection format per AC 150/5100-14C and guidance provided by the Consulting Engineers Council of Missouri (CECMo) ([Qualifications Based Selection \(QBS\) Public Owner's Workbook](#)).

Scope of Work

The general scope of work and a preliminary construction cost estimate must be established prior to a Request for Qualifications (RFQ) from consulting engineers. This will allow firms to determine what services will be required and what the project team will be expected to accomplish.

This scope should include the proposed development project(s), time frame for completion, unique characteristics, expected funding availability, etc. This information will allow the consultants to develop an approach for their selection interview.

Solicitation

Sponsors may utilize their own established procurement process if it does not conflict with state (RSMo Sections 8.285-8.291) and federal (CFR Title 49 Part 18.36) requirements.

When the cost of services is estimated to exceed \$25,000, a public announcement is required. This can be accomplished by placing an ad in one or more newspapers, magazines, trade journals, etc. Sample advertisements ([Sample Advertisement \(2\) Consultant Selection](#)) have been developed that meet MoDOT requirements.

When the cost of services is estimated to be \$25,000 or less, a public announcement is not required--telephone or direct mail contact is sufficient.

In either case, we strongly recommend that known qualified firms be notified of the RFQ by direct mail. Also, we would like to note that the selection process is the same for both solicitation methods and **the consultant shall not include fee or cost information when responding to this solicitation.**

SELECTING THE BEST QUALIFIED CONSULTANT

Selection Committee

Prior to receipt of the RFQ submittals from interested consultants, a selection committee must be established. Committee members should be knowledgeable of the airport project(s) to be implemented, and must be capable of evaluating the capabilities of each consultant through an interview format.

Review Qualifications

All consultants should be required to submit qualifications on the standard form 254 entitled Architect-Engineer and Related Services Questionnaire as a minimum. This will provide the selection committee members with a familiar format and consistent information on all consultants so the best qualified firms can be identified for further consideration.

NOTE: Consultant fees for services must not be included with their submittal of qualifications and costs cannot be considered in the selection process. Fees will be negotiated after the selection is completed.

Interviews

Upon completion of the initial screening, three (3) to five (5) firms should be requested to appear before the committee and present their proposals. This will allow committee members to get familiar with the key individuals that would be involved in the project, ask questions, etc.

Each committee member should record the interviews on individual scoring sheets. The form from the CECMo QBS workbook or a similar modified form can be utilized for this purpose to facilitate tabulation of the points assigned to each consultant for the various selection criteria.

Selection

After interviews have been completed, the scoring sheets should be summarized. The point system will identify the top ranked firm. The second and third ranked firms must also be identified. This will facilitate an alternate selection should contract negotiations with the top ranked firm be unsuccessful.

Notification

When the committee has decided which consultant has been selected, the other firms that submitted qualifications/letters of interest should be notified that they were not selected.

NEGOTIATING THE CONTRACT

Detailed Scope of Services

The scope of services outlined in AC 150/5100-14C provides a good format to identify the type of services necessary to complete the project. This includes basic services (preliminary phase, design phase, bidding or negotiation phase, construction phase) and special services (planning, land acquisition, surveying, geotechnical, environmental, etc.).

Independent Cost Analysis

The sponsor must perform a cost estimate and independent cost analysis (ICA) for the consultant services prior to receipt of the consultant's proposed contract. If the sponsor does not have the technical staff with sufficient background to develop a thorough ICA, then they should contact MoDOT Aviation Section for guidance. A sample format ([Exhibit IV – Derivation of Consultant Project Costs](#)) and ([Exhibit V – Engineering Basic and Special Services-Cost Breakdown](#)) for breakdown of costs should be provided to the consultant so the sponsor's comparison of line item costs can be accomplished.

Consultant Submittal of Costs

The consultant's breakdown must be sufficiently detailed so the sponsor can compare it to their independent estimate and determine if the costs are realistic and reasonable. Appendix 3 of AC 150/5100-14C provides a summary of costs including direct hourly labor rates, overhead, profit, out of pocket expenses and subcontracts. Documentation to substantiate the overhead rate calculation must be included.

Agreement Review and Fee Negotiation

Now that the sponsor and the consultant have each estimated the consultant's expected costs to provide services, a meeting must be held with the consultant to evaluate the agreement and negotiate a final fee. The primary objective of this review/negotiation process is to ensure that all necessary services are included, that the proposed fee represents the level of effort required and that the fee is fair and reasonable.

A written record of the negotiations and an executed [Sponsor Certification for Selection of Consultants](#) must be provided to MoDOT for review and acceptance prior to execution of the agreement.

Standard Agreement Format

A sample standard agreement ([Aviation Project Consultant Agreement](#)) has been developed to ensure that all federal and state requirements are included and to simplify the negotiation and review process.

MoDOT Review

Upon completing the negotiations, the proposed agreement and all supporting documentation must be submitted for review to ensure all requirements have been met. A transmittal letter from the sponsor indicating negotiations have been completed and recommending our approval is sufficient.

PREDESIGN CONFERENCE

Refine Project Scope

A field review attended by the sponsor, the consultant and MoDOT representatives will provide an opportunity to finalize conceptual design prior to beginning design. Unique problem areas can be discussed, and all available information can be identified so the design report and the plans/specifications can be developed without confusion and delay.

Funding

Original tentative funding identified in the sponsor's application is often inflated or has been based on inadequate or outdated estimates. Expected funding needs can be refined at this time, and availability can be confirmed and/or adjusted as necessary.

Notice to Proceed

When all parties agree on the final scope of work, the engineering services agreement can be adjusted to reflect any changes and the notice to proceed with design can be issued by the sponsor.